



## Town of Arlington Multifamily Zoning Project

### Existing Conditions and Zoning Analysis – 7/10/18

The Town of Arlington Multifamily Zoning Project builds on the Town's Housing Production Plan (HPP), which was adopted locally and approved by the state in 2016. The Multifamily Zoning Project will assist in the implementation of two key strategies identified in the HPP: amending the Zoning Bylaw to facilitate development of a range of housing types, and amending dimensional regulations to facilitate production of multifamily housing through mixed-use development in commercial areas and other smart growth locations. These strategies were identified in the HPP as two important ways to increase housing diversity and affordability in Arlington.

This existing conditions and zoning analysis is the first component of the Multifamily Zoning Project. It draws from the HPP analysis as well as from the zoning audit by RKG Associates included in the 2015 Arlington Master Plan.

## Existing Conditions

Arlington is an inner suburb of Boston characterized by dense, walkable residential neighborhoods and low-rise commercial corridors. The Town's building stock, which covers a diverse range of styles, sizes, and uses, reflects its organic growth over time. More than half of the Town's housing was built prior to 1939; because such a large portion of Arlington's development predates its first Zoning Bylaw, many of the Town's lot patterns and buildings do not comply with current zoning standards. The extent to which this is the case will be further explored in a subsequent piece of this project.

Slightly less than half of Arlington's housing units are detached single-family homes, the prevalent housing type in the north and west areas of the Town. One quarter of Arlington's units are in two-family homes, which are most common in East Arlington. The remaining units are in buildings with three or more units, including slightly more than 10% in larger buildings with 20 or more units. These higher-density residential buildings are primarily clustered along or near main commercial corridors.

Arlington's commercial corridors are an eclectic mix of retail, office, and multifamily uses. The Town's primary commercial corridor is Massachusetts Ave, which runs east-west from Cambridge to Lexington and connects its main neighborhoods. Massachusetts Ave is notable in that it features nearly continuous commercial and mixed uses along its entire length through Arlington. Higher-density uses are also common along Summer Street and abutting Mill Brook, both of which run roughly parallel to

Massachusetts Ave, and on Broadway in East Arlington. Smaller pockets of neighborhood-serving retail can be found along Warren and Pleasant Streets. Commercial and office buildings throughout the Town tend to be low-rise, many only one story tall, even on Massachusetts Ave.

One of the key findings from the Town's 2015 Master Plan is that Massachusetts Ave has the capacity for growth, and that increased density along the corridor would be a benefit in terms of increased walkability, additional access to amenities and services, and additional revenue. The Master Plan recommends that growth should be focused on Massachusetts Ave, Broadway, and Mill Brook. Another key finding is that, despite successful efforts to construct affordable housing, regional housing pressures have resulted in an overall more expensive housing stock.

## Development potential

Arlington is part of the Inner Core subregion,<sup>1</sup> which is made up of the high-density cities and streetcar suburbs surrounding Boston. Like most communities in this subregion, Arlington is a maturely developed town with little vacant land. Land availability makes new development a challenge, and development opportunities are generally either in the form of infill or redevelopment. In general, the Town is interested in advancing residential development in smart growth locations along commercial corridors that offer connectivity to various amenities, transit, and services. Accordingly, the HPP identified nine potential development sites that meet these conditions. Most are within the Broadway and Massachusetts Ave corridors. The sites range from a quarter-acre to 16 acres, though most are an acre or less. Some are vacant while others are occupied but underutilized.

Indeed, much of Arlington's residential development potential beyond the sites listed in the HPP is in the one-story commercial and office buildings along Massachusetts Ave and Broadway. Depending on the building, additional residential stories could be added above the existing retail, or the sites could be redeveloped as new mixed-use structures. Subsequent phases of this project will further analyze some of these sites to gain a more detailed understanding of development potential.

## Zoning Analysis

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The Town has recently made strides towards updating its Zoning Bylaw to reflect the vision articulated in the Master Plan, which includes a number of recommendations to amend the Zoning Bylaw to encourage mixed-use development. At the spring 2016 Town Meeting, an amendment to the Zoning Bylaw that allows mixed-use development along commercial corridors by special permit passed with overwhelming support as did parking reductions in high-density residential and business districts. At the spring 2018 Town Meeting, residents voted to recodify the Town's Zoning Bylaw. The recodification substantially reorganized the Bylaw, removing inconsistencies, clarifying procedures, and making it simpler and more user-friendly.

While these changes have been important steps towards accomplishing the Town's goals, Arlington's Bylaw can still be a barrier to multifamily housing. For example, residential buildings containing more than two units generally require at least a special permit to develop, and many of the dimensional requirements are poorly suited to infill development. This can hinder development and serve as a barrier to meeting housing need and demand.

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<sup>1</sup> As defined in MetroFuture, Greater Boston's 2008 Regional Plan.

## Zoning Districts and Permitted Uses

The Town's Zoning Bylaw includes 19 districts, eight of which are residential. Detached single family structures are permitted by right in every residential and business district, and two-family structures are permitted by right in every business and residential district except single family districts. Multifamily development at a density greater than two-family structures is allowed by special permit in all business districts and in higher-density residential districts. Mixed-use development is permitted by special permit in all business districts. Some accessory uses, including retail or office use within an apartment building, are permitted by special permit in higher-density districts, though Accessory Dwelling Units are not specifically contemplated in the Bylaw. Below is a brief summary of allowable residential uses in each district:

*R0 and R1:* Both R0 and R1 are single-family districts. Because this project deals with multifamily housing, these districts are not covered here in detail. However, it is worth noting that the majority of the Town's land area (over 60%) falls within one of these two zones.

*R2:* The R2 Two-Family District permits two-unit structures<sup>2</sup> by right. It is located primarily in East Arlington, with additional pockets along the Massachusetts Ave and the Summer Street corridors. This is the second-largest district in the Town after the R1 District, covering 620 acres or 19% of the Town's land area.

*R3:* The Three-Family District is intended for small-scale multifamily residential use. Although it is called the Three-Family District, a special permit is required to build a three-family dwelling in this zone. R3 parcels are sparsely located along the Massachusetts Avenue and Broadway corridors; this zone is by far the smallest residential zone in the Town, covering less than a half percent of the Town's land area.

*R4:* This is the Townhouse District. Existing building stock in this district consists predominantly of large, older dwellings. The Bylaw permits the conversion of these older homes into apartments or offices to encourage their preservation. However, a special permit is required for these uses, as well as for townhouse use. R4 parcels are sparsely located along the Massachusetts Ave, Summer Street, and Broadway corridors and along Pleasant Street, covering less than one percent of the Town's land area.

*R5, R6, and R7:* These are apartment districts of low, medium, and high density, respectively. Their intended uses are predominately residential, with some office use also permitted. In all three districts, a special permit is required for structures with three units or greater, or for detached housing of more than six units.<sup>3</sup> These districts are scattered along the Massachusetts Ave, Summer Street, Pleasant Street, and Broadway corridors. These three districts combined cover roughly four percent of the Town's land area.

*Business districts:* The Town's six business districts allow multifamily housing and mixed-use development by special permit. These districts are interspersed along the Massachusetts Ave, Summer Street, and Broadway corridors. Each is relatively small; in total, the six districts comprise just over 4% of the Town's land area.

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<sup>2</sup> While the Bylaw makes a distinction between Duplex Dwellings (two side-by-side attached units) and Two-Family Dwellings (two dwellings in which one unit is over the other), there is little to no distinction between the two in terms of dimensional requirements, and this memo uses the terms interchangeably.

<sup>3</sup> Note that Arlington does not have a subdivision regulation.

*Multi-use district and Planned Unit Development district:* These districts are intended to accommodate multiple uses on large areas of land. Multifamily housing is permitted by special permit, and must undergo Environmental Design Review by the ARB. Because these are relatively specialized uses, they are not covered in depth in this analysis.

The Town's industrial and open spaces zones do not allow any residential uses, and are not covered in this analysis.

## Dimensional Requirements

Generally, the Bylaw provisions for dimensional and density requirements are consistent with the prevailing development patterns of Arlington's lower-density districts. However, in higher density residential districts, many of these requirements discourage or even preclude multifamily development that would be suitable in these areas and that would provide a broader range of housing types.<sup>4</sup> Specific instances of this are noted below.

The dimensional requirements for mixed-use buildings in business districts are generally compatible with existing development on commercial corridors and are conducive to infill development, largely due to the Town's 2016 Bylaw amendments. However, the dimensional requirements for single-use multifamily residential in business districts are far more restrictive. If the Town's intent is to encourage mixed-use development in business districts by allowing more flexible standards than those for single-use residential, the existing requirements support that goal, and few changes to the business district requirements are recommended. If this is not the Town's intent, dimensional requirements should be reconsidered to align multifamily residential development standards with those for mixed-use. Again, specific examples are noted below.

*More than one building per lot:* Although the Bylaw permits more than one residential structure on the same lot, it requires assumed lot lines between the buildings and compliance with all yard requirements based on the assumed lot lines. This makes it difficult to include more than one structure on all but the largest lots, and in most cases precludes thoughtful site planning for cluster development.<sup>5</sup> (Section 5.3.3)

*Lot size and frontage:* Several of the requirements in higher-density residential districts are not necessarily aligned with their intended uses. For example, in many residential districts the Bylaw requires townhouses to have a minimum lot frontage of 100 feet and a minimum lot area of 20,000 square feet.<sup>6</sup> However, this is at odds with typical townhouse dimensions, which usually range in width from 16-30 feet, and can comfortably fit on lots as small as 2,000 square feet. Likewise, apartment buildings in the R5, R6, and R7 districts require a minimum lot size of 20,000 square feet. However, a small apartment building such as a four-plex or a garden-style apartment could easily meet all other open space and yard requirements on a lot half that size. Lot sizes in these districts should be reconsidered to accommodate these smaller multifamily typologies. (Section 5.4.2(A), R District Lot Regulations)

In business districts B2 and above, mixed-use buildings on small parcels (less than 20,000 square feet) have no minimum lot size and a minimum lot frontage of 50 feet. This is generally consistent with

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<sup>4</sup> Note that the extent to which dimensional controls match existing development patterns will be further studied in subsequent phases of this project, and more detailed conclusions will be drawn at that time.

<sup>5</sup> Cluster development groups residential properties on a site in order to preserve remaining land as open space.

<sup>6</sup> In the R4 Townhouse District, the minimum lot size for townhouses is even larger, 30,000 square feet.

prevailing development patterns and is conducive to today's development trends. Townhouse and apartment uses in business districts are subject to dimensional restrictions similar to those in the higher-density residential districts discussed in the previous paragraph, and could be amended to further encourage residential development. (Section 5.5.2(A), B District Lot Regulations)

*Density:* In addition to minimum lot size, Arlington stipulates minimum lot area per dwelling unit for residential uses in order to control the maximum number of dwelling units, regardless of housing type, which can deter the development of smaller, more affordable units. This approach should be reconsidered. (Section 5.4.2(A), R District Lot Regulations)

*Yard and open space:* Like the requirements for lot size, some of the front and side yard requirements in higher-density residential districts are not consistent with existing patterns. For example, many of the existing buildings in the higher-density districts located along Arlington's commercial corridors have no front setbacks. However, in the R4-R7 Districts the Bylaw requires a front yard setback for apartment and townhouse uses ranging from 15-25 feet, which could be overly prohibitive on small lots. Likewise, the minimum requirements for landscaped and usable open space – typically 10% and 30% of total lot area respectively – can leave little space for development when combined with parking requirements. The usable open space requirement, which mandates minimum dimensions of 25 feet in both directions, is particularly constraining in terms of site layout. The Town should revisit these requirements. (Section 5.4.2(A), R District Yard and Open Space Requirements; Section 2 Open Space definition)

In business districts B2 and higher, there are no required front or side yard setbacks, as is appropriate for dense, pedestrian-oriented corridors. Mixed-use buildings in these districts are required to provide 10% landscaped open space and 15-20% usable open space. While these open space requirements could still be difficult to meet given the constraints discussed below, they are far more manageable than those for residential uses. Apartment uses in business districts are subject to dimensional restrictions similar to those discussed in the previous paragraph, which could be amended to further encourage residential development. (Section 5.5.2(A), B District Yard and Open Space Requirements)

For both multifamily residential and mixed-use buildings, the ability to satisfy at least a portion of the private open space requirements with a rooftop terrace can be an important factor in project feasibility. Arlington's Bylaw allows rooftop terraces to satisfy up to half of a project's open space requirements with a special permit, but only if the terrace is not more than 10 feet above the level of the lowest residential story. The Bylaw requires open space be at least 25 feet in any direction, precluding rooftop terraces as open space on most building setbacks; taken together, these two requirements effectively preclude rooftop terraces from buildings that are taller than one or two stories. The Town should consider permitting rooftop terraces to occur at higher stories. (Section 5.3.18)

*Height and Floor Area Ratio:* In most residential districts, the maximum allowable building height for an apartment building or townhouse is 35 or 40 feet depending on the district. While this height is appropriate for detached housing, it is overly restrictive for multifamily in light of the Town's goal of enabling more diverse housing types. Given that the high-density residential districts are located almost exclusively along major thoroughfares, greater heights could be accommodated in contextually appropriate ways. Indeed, a key finding of the Master Plan was that Massachusetts Avenue and other predominantly commercial corridors have the capacity for growth and recommends increased density and building heights along the corridor. A discussion of building heights should also consider that taller ground floors, particularly in historic areas, are often more contextually appropriate and can create a more gracious street frontage. This is reflected in some, but not all, of the Bylaw's height requirements. (Section 5.4.2(A), R District Building Height and Floor Area Ratio Regulations)

In conjunction with building heights, the maximum Floor Area Ratio (FAR) should be adjusted in the higher-density residential districts. These, too, tend to be unduly restrictive towards multifamily housing even in multifamily districts. The maximum FAR of .7 for townhouses in the R4 District and .8 for apartment buildings on smaller lots in the R5 and R6 Districts are particularly constraining; for example, given a lot on which over half the site is devoted to open space and parking, the FAR could still limit the building height to two stories. Note that these constraints will be explored further in subsequent project tasks. (Section 5.4.2(A), R District Building Height and Floor Area Ratio Regulations)

Allowable heights for mixed-use buildings in business districts range from 40-60 feet, and FARs for mixed-use buildings range from 1.0-1.5. These standards are generally appropriate for development along an active commercial corridor. Height limits and FARs for apartment buildings in business districts are generally lower, and could be amended. (Section 5.5.2(A), B District Building Height and Floor Area Ratio Regulations)

In addition to limiting overall building height, the Bylaw requires a building stepback of 7.5 feet at the third story for buildings greater than three stories. While this is appropriate for smaller streets, it could be an unnecessary impediment to development on larger streets whose widths can comfortably accommodate greater building heights. The Town should consider raising the setback to the fourth or fifth story rather than the third story, or eliminating it entirely for parcels along dense streets with large right-of-ways. Likewise, the residential height buffer, which requires lower height limits for land within a certain distance of low-density residential areas, should be reconsidered given that the apartment and business districts are scattered along the Town's main corridors and that consequently most parcels in these districts abut a lower-density residential use. (Sections 5.3.17, 5.3.19)

## Parking

Off-street parking requirements are relevant to multifamily development because the cost of parking is often the greatest hindrance to the economic feasibility of multifamily development. Arlington's off-street parking requirements contain some progressive elements, including a 25% reduction of parking requirements in higher-density residential and business districts if Transportation Demand Management practices are incorporated, and additional reductions if a certain percentage of housing units are affordable. However, some of the base requirements are still at odds with the goal of facilitating multifamily housing. Specifically, the number of off-street parking spaces required for one-, two-, and three-family detached dwellings (one space per unit) is *less* than that required for multifamily apartments (one space per unit for efficiencies, 1.15 spaces per one-bedroom unit, and 1.5 spaces per two-bedroom unit). Even with the parking reduction, two-bedroom apartment units have a higher parking requirement than detached houses. Given the extent to which parking requirements can add to the cost of multifamily housing, the Town should consider adjusting the base apartment unit parking ratios to reflect actual need based on location and transit access, at the very least aligning it with the detached housing requirements. (Sections 6.1.4, 6.1.5)

## Special Permit and Environmental Design Review

Although special permits can be a tool to control the scale and design of development, they are most appropriate for large projects or those with complex conditions. If required for smaller projects that otherwise comply with other district dimensional requirements, they can unnecessarily discourage development by increasing approvals time and adding uncertainty and risk. Indeed, the Master Plan suggests that reducing the number of uses for which special permits are required would better equip the Town to accomplish many of the Plan goals.

With regard to residential uses, Arlington's Bylaw requires a special permit for every multifamily use greater than two units regardless of the district, even in districts that are intended to accommodate multifamily use. Given that the Town has a goal of facilitating a greater range of housing types, it should consider allowing some multifamily by right where it would align with the district's intent and where the structures would meet dimensional standards. This could include allowing three-family structures by right in the R3 Three-Family District, allowing townhouses by right in the R4 Townhouse District, allowing some apartment buildings by right in the higher-density apartment districts, or allowing certain mixed-use by right in some of the business districts. The Town could also consider an expedited review process for certain uses. (Sections 3.3, 5.4.3)

Certain types of residential development, including developments of six or more units, mixed-use development, and projects located on important thoroughfares, are subject to Environmental Design Review, an enhanced form of site plan review conducted by the Arlington Redevelopment Board. Again, this is a relatively low threshold that may discourage some of the types of development that the Town wishes to facilitate. (Section 3.4)